

ASSEMBLY BILL

No. 124

Introduced by Assembly Member Cogdill

January 15, 2003

An act to amend Section 17052 of the Education Code, relating to school facilities.

LEGISLATIVE COUNSEL'S DIGEST

AB 124, as introduced, Cogdill. Joint-use projects.

Existing law requires the State Allocation Board to allocate state school facilities funding to applicant school districts pursuant to the Leroy F. Greene School Facilities Act of 1998, with certain exceptions, including, but not limited to, provisions which authorize the board to fund certain joint-use projects to construct libraries, multipurpose rooms, and gymnasiums, under the Leroy F. Greene State School Building Lease-Purchase Law of 1976, if certain conditions are met, including, but not limited to, the requirement that the school district has obtained the approval of the plans from the Division of the State Architect and the State Department of Education.

This bill would authorize the division and the department to approve the joint-use projects at any time without regard to the date upon which any project-related contract was entered into by the school district and would permit the board to consider expenses incurred by the school district on the project as a credit toward meeting the school district's local matching fund requirement.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

SECTION 1. Section 17052 of the Education Code is amended to read:

17052. (a) Notwithstanding any other provision of law, the State Allocation Board may fund joint-use projects to construct libraries, multipurpose rooms, and gymnasiums, on school campuses ~~where~~ *if* these facilities are used jointly for both school and community purposes.

(b) A school district may apply to the State Allocation Board for funding under this section if it meets all of the following requirements:

(1) The school does not have the type of facility for which it seeks funding.

(2) The school district agrees to provide local matching funds for 50 percent of the eligible cost of the facility as set forth in subdivision (c), and 100 percent local or joint-use funding for all costs that exceed that standard, as required by subdivision (d).

(3) The school district ~~has obtained~~ *obtains* approval of the plans for the facility from the Division of the State Architect and the State Department of Education.

(A) Approval of a joint-use project may be granted by the division and the department at any time without regard to the date upon which any project-related contract, including, but not limited to, a construction contract, was entered into by the school district.

(B) The board may consider expenses previously incurred by the school district on the project as a credit toward meeting the school district's local matching funds requirement.

(4) The school district has entered into a joint-use agreement with its joint-use partner that specifies the method for sharing capital and operating costs, specifies relative responsibilities for the operation and staffing of the facility, and specifies the manner in which the safety of school pupils will be maintained during school hours.

(5) The school district demonstrates that the facility will be used to the maximum extent possible for school and community purposes after regular school hours.

(c) The State Allocation Board shall establish standards for the amount of funding to be made available for each project under this

1 section. The funding standards may be expressed as
2 per-square-foot cost limits or per-pupil cost limits or both.

3 (d) Notwithstanding any other provision of this chapter, project
4 costs may exceed the board's standards set forth in subdivision (c)
5 if the excess is paid completely by local or joint-use partnership
6 sources.

7 (e) On July 1 of each year the board shall apportion to
8 qualifying applicant school districts those funds that it determines
9 are available for the purposes of this section.

10 (f) The board may establish priority standards to govern the
11 order of funding projects. If applications exceed available
12 funding, the board shall give priority to applications where the size
13 of the project is increased by at least 30 percent beyond minimum
14 essential facilities through the use of additional funding from a
15 joint-use partner.

